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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,131	01/26/2001	Satoshi Mizutani	2309/01213	6716
7590 05/13/2004			EXAMINER	
DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022			CHEVALIER, ALICIA ANN	
			ART UNIT	PAPER NUMBER
			1772	

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	09/771,131	MIZUTANI ET AL.	
	Examiner	Art Unit	
	Alicia Chevalier	1772	

All participants (applicant, applicant's representative, PTO personnel):

(1) Alicia Chevalier.

(3) Alphonso A. Collins (43,559).

(2) Harold Pyon.

(4) _____.

Date of Interview: 06 May 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 5 and 11-17.

Identification of prior art discussed: none.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: see continuation sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Continuation Sheet

1. Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant's Representative initiated a telephonic interview with the Examiner of record's supervisor, Harold Pyon, and the Examiner. Applicant's representative wanted to know why the after final amendment, filed April 12, 2004, was not entered. The Examiner reiterated her position from the advisory action, mailed April 29, 2004, that the new limitations add to the independent claims 11-17 raised new issues requiring a novel search and/or further consideration because the limitations added to independent claims 11-17 created a new a novel combination which had not previously been considered. Also, the limitations added to independent claims 11-17 had not previously been dependent on those independent claims, therefore amended claims 11-17 are completely new embodiments, which have not been considered. Furthermore, independent claims 11-17 are not commensurate in scope with the suggestions the Examiner made in the previous interview on March 11, 2004.

Applicant is reminded that entry of an after final amendment is not a matter of right except where an amendment merely cancels claims, adopts examiner suggestions, removes issues for appeal, or in some other way *requires only a cursory review* by the examiner. MPEP 714.13.

Art Unit: 1772

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (571) 272-1490. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Chevalier

5/7/04